

**Before the
Federal Communications Commission
Washington, D.C. 20554**

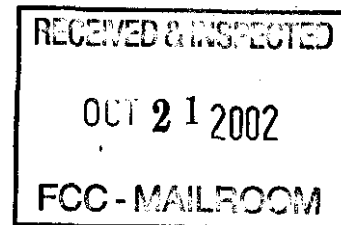
FCC 02M-98

In the Matter of)

FAMILY BROADCASTING, INC.)

Order to Show Cause Why the Licenses for
Stations WSTX(AM) and WSTX-FM,
Christiansted, U.S. Virgin Islands,
Should Not Be Revoked)

EB Docket No. 01-39



ORDER

Issued: October 18, 2002**Released:** October 21, 2002

On October 17, 2002, a prehearing conference was conducted by telephone (unrecorded) in which a hearing date was agreed to after consideration of the parties' discovery needs. See Order FCC 02M-94, released October 4, 2002.

Depositions

It appears that the Enforcement Bureau presently seeks to depose Mrs. James-Petersen, Mr. Luz James, Mr. Luz James II, Mrs. Asta James, and a key employee to be identified. The licensee is agreeing to make all related witnesses available for deposing in the District of Columbia, except the place of the deposition of Mr. Luz James, Jr. is yet to be determined. An unidentified key employee will be deposed by telephone in St. Croix, V.I.

It is presently contemplated that the depositions will be completed in the months of November and December 2002.

Documents

There is no apparent need for compulsory process to obtain documents from the licensee. Nor does there appear to be any assertions of privilege or non-relevance of documents being sought by the Bureau for discovery purposes. The licensee has agreed to produce copies of recent tax returns that are now being completed, and a certificate of corporate standing.

The burden of proceeding and the burden of proof with respect to the specified issues have been assigned to the licensee'.

There was an agreed hearing date of **February 25,2003, at 9:00 a.m.** and the hearing will be held before the undersigned in Washington, D.C.

The following procedural dates are being set?

- January 17,2003** - Complete Discovery.
- February 7,2003** - Exchange direct case exhibits? Frozen direct testimony is encouraged. **If** oral direct testimony is to be presented, the witnesses shall be fully identified and a complete *summary* of their expected testimony shall be provided.
- February 11,2003** - Notification of witnesses desired for cross-examination!
- February 13,2003** - Objections to witness notification.

¹ See Memorandum Opinion and Order FCC 02-91, released March 28,2002 at **12 – 13**.

² Except for the hearing date, these dates have not been discussed with counsel but are standard dates that may be adjusted for good reason.


³ Hearing exhibits must be serially numbered, separately paginated, and assembled in a binder with a tab preceding each document. **A** prefix will be used to identify the party sponsoring the exhibit. If official notice is to be requested of materials in Commission files, the materials shall be assembled, tabbed, identified by source, assigned an exhibit number, and exchanged on the exchange date.

⁴ Notification and objections may be communicated by e-mail, facsimile or by telephone call confirmed the same day in writing or by facsimile.

February 25, 2003 - Commencement of hearing at 9:00 a.m. in
the OALJ courtroom in Washington, D.C.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION⁵


Richard I. Sinnel
Chief Administrative Law Judge

⁵ Courtesy **copies** of this Order were e-mailed or faxed to **counsel** on date of issuance.